BEFORE THE HIGH COURT OF JUDICATURE:M.P. AT JABALPUR.

W.P.NO. 2355 /96.

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1. The State of M.P.,
through the Secretary,
Deptt. of Forest, Bhopal.

2. The Divisional Forest Officer,
Forest Division, Bilaspur.

3. The Range Officer,
Forest Range, Bilaspur.

..... PETITIONERS.

Versus

1. Komal Pd. Koushik,S/o Shri Tatiram,
R/o Bodri, Post. Chakarbhatha,
Distt. Bilaspur.

2. The Presiding Officer,
Labour Court, Bilaspur.

..... RESPONDENTS.

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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मामला क्रमांक W.P. 2355/96 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	14/09/2005: - Mr. P.S. Koshy, learned Dy. Advocate General, for the State of Chhattisgarh/petitioners. Ms. Sharmila Singhai, learned counsel for respondent No.1. Heard. This petition was filed on 22/06/1996 impugning the award dated 01/03/1996 passed by the Presiding Officer, Labour Court, Bilaspur under the Industrial Disputes Act, 1947 (*for short "the Act"*) in case No.16/IDA/93. The petition was admitted for hearing and notice was directed to be issued on 02/07/1996. The application for interim relief was rejected by the Court. Respondent No.1 has filed I.A. No.1096 of 1996, application for dismissal of the petition, on 18/02/2002 stating therein that the petitioners have not complied with the direction of the Labour Court to reinstate respondent No.1 with full back wages. The petitioners are under statutory obligation to comply with the provisions of Section 17-B of the Act. The petitioners have not complied with either the order of the Court dated 01/03/1996 or the provisions of Section 17-B of the Act. Learned counsel appearing for respondent No.1 submits that in view of the above, the petition be dismissed. Learned counsel appearing for the petitioners is not in a position to dispute the facts of the case as submitted by the learned counsel for respondent No.1. Learned counsel appearing for the petitioners submits that even if the order of the Labour Court has not been complied with, this Court	

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P. 2355/96..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

should not dismiss the petition as the respondent No.1 could have taken other steps including the prosecution that he had not done.

This petition is under Article 227 of the Constitution of India. This Court has limited power for entertaining the petition in exercise of supervisory jurisdiction. There seems to be no error in the decision of the Labour Court necessitating interference under Article 227.

Be that as it may, the petitioners cannot take a technical plea when admittedly they have failed to comply with the statutory provisions of Section 17-B of the Act.

For the reasons stated above, the petition is dismissed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Brajesh

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